

WRIGHT, FINLAY & ZAK, LLP

T. Robert Finlay, Esq., SBN 167280

Nicole S. Dunn, Esq., SBN 213550

4665 MacArthur Court, Suite 200

Newport Beach, CA 92660

Telephone: (949) 477-5050; Facsimile: (949) 608-9142

Attorneys for Defendants, Ocwen Loan Servicing, LLC;
and Mortgage Electronic Registration Systems, Inc.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re: STEVEN MARK ROSENBERG,
Debtor.

Bankruptcy Case No. 1:17-bk-11748-VK
Chapter 7

Adversary Case No. 1:17-ap-01096-VK

STEVEN MARK ROSENBERG,

Plaintiff,

v.

**REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF DEFENDANTS'
NOTICE OF MOTION AND
MOTION FOR JUDGMENT ON
THE PLEADINGS**

ALLIANCE BANCORP, INC (Estate),
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
OCWEN LOAN SERVICING, ONE
WEST BANK, DEUTSCHE BANK
NATIONAL TRUST COMPANY, AS
TRUSTEE FOR ALLIANCE
BANCORP MORTGAGE BACKED
PASS-THROUGH CERTIFICATE
SERIES 2007-OA1 AND DOES 1
THROUGH 25, INCLUSIVE,

Defendants.

Hearing:

Date: TBD

Time: TBD

Crtrm: 301

*[Filed concurrently with Notice of
Motion, Motion for Judgment on the
Pleadings]*

**TO THIS HONORABLE COURT AND TO ALL PARTIES AND
THEIR ATTORNEYS OF RECORD:**

Defendants Ocwen Loan Servicing, LLC ("Ocwen"), and Mortgage Electronic Registration Systems, Inc. ("MERS") (collectively "Defendants") respectfully requests that the court take judicial notice of the following documents in support of its Motion for Judgment on the Pleadings filed concurrently herewith:

1. The Deed of Trust recorded on March 15, 2007, as Document No. 20070575007 in the Official Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 1.

2. The Affidavit of Death of Trustee recorded on December 1, 2008, as Document No. 20082107890 in the Official Records of the Los Angeles County Recorder's Office a true and correct copy of which is attached hereto as Exhibit 2.

3. The Notice of Default and Election to Sell under Deed of Trust recorded on April 17, 2008, as Document No. 20080669043 in the Official Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 3.

4. The Quitclaim Deed recorded on December 2, 2008, as Document No. 20082117184 in the Official Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 4.

5. The Assignment of Deed of Trust recorded on August 12, 2008, as Document No. 20081445795 in the Official Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 5.

6. The Assignment of Deed of Trust recorded on February 24, 2010, as Document No. 20100248050 in the Official Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 6.

7. The Notice of Default and Election to Sell under Deed of Trust recorded on November 3, 2015, as Document No. 20151344164 in the Official

Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 7.

8. The Notice of Rescission of Notice of Default recorded on November 9, 2015, as Document No. 20151367519 in the Official Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 8.

9. The Corporate Assignment of Deed of Trust recorded on March 21, 2017, as Document No. 20170317787 in the Official Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 9.

10. The Notice of Trustee's Sale recorded on May 18, 2017, as Document No. 20170554108 in the Official Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 10.

11. The Corporate Assignment of Deed of Trust recorded on December 14, 2017, as Document No. 20171454376 in the Official Records of the Los Angeles County Recorder's Office, a true and correct copy of which is attached hereto as Exhibit 11.

12. Probate Code Section 850 Petition to Determine Title to Real Property to Estate filed on August 27, 2009 in *The Matter of Estate of Isadore Rosenberg, Deceased* Los Angeles County Superior Court Case No. BP109162, a true and correct copy of which is attached hereto as Exhibit 12.

13. Notice of Order Dismissing Action with Prejudice filed on January 20, 2015 in *The Matter of Estate of Isadore Rosenberg, Deceased* Los Angeles County Superior Court Case No. BP109162, a true and correct copy of which is attached hereto as Exhibit 13.

14. Remittitur, with Order Modifying Opinion, No Change in Judgment filed on January 10, 2017 in *The Matter of Estate of Isadore Rosenberg, Deceased*

Los Angeles County Superior Court Case No. BP109162, a true and correct copy
of which is attached hereto as Exhibit 14.

Respectfully submitted,
WRIGHT, FINLAY & ZAK, LLP

Dated: February 13, 2018

By: /s/ Nicole S. Dunn
T. Robert Finlay, Esq.
Nicole S. Dunn, Esq.
Attorneys for Defendants, Ocwen Loan
Servicing, LLC; and Mortgage Electronic
Registration Systems, Inc.

WRIGHT
FINLAY
& ZAK

WRIGHT, FINLAY & ZAK, LLP
ATTORNEYS AT LAW

PROOF OF SERVICE

I, Jovete Elguira, declare as follows:

I am employed in the County of Orange, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 4665 MacArthur Court, Suite 200, Newport Beach, California 92660. I am readily familiar with the practices of Wright, Finlay & Zak, LLP, for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited with the United States Postal Service the same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

On February 13, 2018, I served the within **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANTS' NOTICE OF MOTION AND MOTION FOR JUDGMENT ON THE PLEADINGS** on all interested parties in this action as follows:

☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelope(s) addressed as follows:

[SEE ATTACHED SERVICE LIST]

☒ (BY MAIL SERVICE) I placed such envelope(s) for collection to be mailed on this date following ordinary business practices.

☐ (BY FEDERAL EXPRESS OVERNIGHT- NEXT DAY DELIVERY) I placed true and correct copies thereof enclosed in a package designated by Federal Express Overnight with the delivery fees provided for.

☒ (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(b)(2)(E). "A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(b)(2)(E). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing pro se."

☒ (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February 13, 2018, at Newport Beach, California.


Jovete Elguira

ATTACHED SERVICE LIST

Steven Mark Rosenberg
15814 Septo Street
North Hills, CA 91343

Plaintiff Pro Se

Kristin Webb, Esq.
BRYAN CAVE LLP
3161 Michelson Drive, Suite 1500
Irvine, CA 92612
(949) 223-7000; FAX (949) 223-7100
webbk@bryancave.com

Attorney for Cit Bank, N.A.

Amy L. Goldman (TR)
633 W. 5th Street, Suite 4000
Los Angeles, CA 90071
(213) 250-1800

Trustee

United States Trustee (SV)
915 Wilshire Blvd., Suite 1850
Los Angeles, CA 90017
(213) 894-6811

U.S. Trustee

Judge Victoria S. Kaufman
U.S. Bankruptcy Court – Central District
(San Fernando Valley)
21041 Burbank Blvd.
Woodland Hills, CA 91367-6603